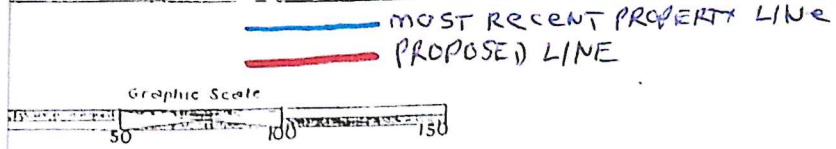


"Approval of this lot line adjustment plat does not constitute approval of the physical location of parcels or lots. This lot line adjustment has been..."

City of Burlington Administrative Officer/ Assistant
Date _____ Zoning Permit # _____

| NOTE | TITLE |
|------------------------------------|---------|
| See maps of record. | Vol. 60 |
| Vol. 46 Pg. 541 | Vol. 5 |
| Vol. 46 Pg. 482 | Vol. 2 |
| Vol. 17 Pg. 207 (old town records) | Vol. 1 |
| Lot Coverage of no. 368: 17% | Vol. 7 |
| " " " no. 362: 23% | Vol. 6 |
| | Vol. 4 |
| | Vol. 1 |

THIS PLAT IS A TRUE AND CORRECT COPY OF THE ORIGINAL PLAT AS FILED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT FOR THE STATE OF VERMONT, AND IS A TRUE AND CORRECT COPY OF THE ORIGINAL PLAT AS FILED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT FOR THE STATE OF VERMONT, AND IS A TRUE AND CORRECT COPY OF THE ORIGINAL PLAT AS FILED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT FOR THE STATE OF VERMONT.



| | | |
|--|----------------------------|----|
| | FLAT OF S | |
| | SHOWING BOUNDARY L | |
| | GILBERT W. RIST REVOC A | |
| | NO. 362 & 368 So. Union St | |
| DATE: July 3, 2013 | | SC |
| WARREN A. ROBENSTIEN P.O. BOX WINOOSKI, V (802) 878 | | |

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that We, JOHN H. SUITOR, JR., of Aspen, Colorado, and DAVID W. SUITOR, of Brunswick, Maine, Grantors, in consideration of TEN AND MORE DOLLARS paid to our full satisfaction by GILBERT R. SUITOR, of the City of Burlington, County of Chittenden and State of Vermont, Grantee, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, GILBERT R. SUITOR, his heirs and assigns forever, a certain piece of land in the City of Burlington, County of Chittenden and the State of Vermont, and described as follows, viz:

Being all our right, title and interest in and to all and the same land and premises conveyed to Gilbert R. Sutor, John H. Sutor, Jr., and David W. Sutor, each an undivided one-third interest as tenants in common, by Quitclaim Deed of Gilbert R. Sutor, John H. Sutor, Jr., and David W. Sutor dated July 18, 2013 and recorded on July 18, 2013 in Volume 1225 at Pages 560-562 of the City of Burlington Land Records and being more particularly described therein as follows:

The property is known and designated as 368 South Union Street, Burlington, Vermont, and is more particularly described as follows:

Being all of 368 South Union Street as depicted on the plan entitled "Plat of Survey Showing Boundary Line Adjustment, Gilbert W. Rist Revocable Trust Property, 0.70 Ac., No. 362 & 368 So. Union St., Burlington, Vermont" prepared by Warren A. Robenstien, R.L.S., dated July 3, 2013, and recorded in Map Slide No. 496-D of the City of Burlington Land Records (hereinafter the "Plan"). Said lot is depicted thereon as commencing at a 1" pipe that marks the southwest corner of the lot; thence proceeding in a northerly direction a distance of 61 feet, more or less, to a point marked by a "set s.m." that marks the northwest corner of the lot; thence turning to the right and running in an easterly direction along the line titled "Proposed line" on the Plan to an unmarked point in the westerly boundary line of property now or formerly owned by T. & E. Read; thence turning to the right and running in a southerly direction a distance of approximately 17.68 feet, more or less, to a point marked by a "set s.m."; thence turning to the right and running in a westerly direction to a point marked by a "set s.m."; thence turning to the left and proceeding in a southerly direction a distance of 44.49 feet, more or less, to a 1" pipe; thence turning to the right and proceeding in a southerly direction a distance of 59.39 feet, more or less, to a point marked by a 1" rod; thence continuing in a westerly direction a distance of 67.18 feet, more or less, to a point marked by a 1 1/4" pipe; thence continuing in a westerly direction a distance of 99.47 feet, more or less, to a point marked by the 1" pipe that marks the point or place of beginning.

Included in this conveyance is a non-exclusive easement and right of way to be shared with the owner of 362 South Union Street, their heirs and assigns, over a strip of land 4.88 feet wide, more or less, and running approximately 125 feet, more or less, over land on 362 South

Union Street in the location depicted on the Plan as "shared drive", for the purposes of ingress and egress to 368 South Union Street, and the maintenance, repair and replacement of said shared drive.

The conveyed property is subject to a non-exclusive easement and right of way in favor of the owners of 362 South Union Street, their heirs and assigns, to be used in common with Grantees, their heirs and assigns, over a strip of land 5.12 feet wide, more or less, and running approximately 125 feet, more or less, over 368 South Union Street in the location depicted on the Plan as "shared drive", for the purposes of ingress and egress to 362 South Union Street, and the maintenance, repair and replacement of said shared drive.

The owners of 362 South Union Street and 368 South Union Street, their respective heirs, successors and assigns (hereafter the "Owners") shall be subject to the following covenants and restrictions with respect to the shared drive, which covenants and restrictions shall run with the land:

1. The Owners shall use reasonable care in their use of the shared drive and their exercise of the rights granted them with respect thereto.
2. Use of the shared drive shall be restricted to single family residential use.
3. The Owners shall work in good faith to reach agreements on the maintenance, repair and/or replacement of the shared drive and the costs thereof shall be shared equally between the Owners.
4. The Owners, their guests and invitees, shall not block the shared drive at any time.
5. The respective Owner shall promptly restore and repair any damage to the shared drive arising from their or their family members, guests and/or invitees, use of the shared drive or other exercise of rights granted them with respect thereto, and shall be solely responsible for all costs of restoration and/or repair of the shared drive.
6. The respective Owner shall indemnify and hold the other Owner harmless from all liability, costs, damages, judgments, claims, loss and expenses arising from their or their family members, guests and/or invitees, use of the shared drive or other exercise of rights granted them, with respect thereto, including but not limited to attorney fees incurred by the other Owner in connection therewith.

Said land and premises are subject to the terms and conditions of City of Burlington Zoning Permit No. 14-0010LL dated July 3, 2013, on file in the City of Burlington Zoning files.

Said land and premises are a portion of the land and premises conveyed to Gilbert R. Sutor, John H. Sutor, Jr. and David W. Sutor by Quitclaim Deed of Peoples United Bank (formerly Chittenden Trust Company) and John H. Sutor, Jr., as Co-Trustees of the Gilbert W. Rist Revocable Trust dated May 17, 1993; said Quitclaim Deed dated June 19, 2013, and recorded in Volume 1223 at Page 232 of the City of Burlington Land Records and also are a portion of the land and premises conveyed to Gilbert R. Sutor, John H. Sutor, Jr. and David W. Sutor by Quitclaim Deed of Peoples United Bank, Trustee of the Gilbert W. Rist Revocable Trust dated May 17, 1993; said Quitclaim Deed dated July 18, 2013 and recorded in Volume 1225 at Page 556 of the City of Burlington Land Records

Reference is made to the following deeds for 362 South Union Street: (i) Deed into Trust of Gilbert W. Rist to Gilbert W. Rist, Trustee of the Gilbert W. Rist Revocable Trust dated May

17, 1993; said deed dated July 28, 1994, and recorded August 24, 1994, in Volume 513 at Page 331 of the City of Burlington Land Records; (ii) Warranty Deed of Martha R. Sutor to Gilbert W. Rist dated October 10, 1978, and recorded in Volume 256 at Page 232 of said Land Records; and (iii) Warranty Deed of Mary Weller Rist to Gilbert W. Rist and Martha Rist Sutor dated February 13, 1968, and recorded in Volume 187 at Page 397 of said Land Records

Reference is made to the following deeds for 368 South Union Street: (i) Special Administrator's Deed of Gilbert R. Sutor, Special Administrator of the Estate of Martha R. Sutor, to People's United Bank and John Sutor, Jr., Trustees of the Gilbert W. Rist Revocable Trust; said deed dated July 18, 2013, and recorded in Volume 1225 at Page 552 of the City of Burlington Land Records; (ii) Deed into Trust of Gilbert W. Rist to Gilbert W. Rist, Trustee of the Gilbert W. Rist Revocable Trust dated May 17, 1993, as amended December 5, 1994; said deed dated November 25, 1998, and recorded in Volume 608 at Page 169 of said Land Records; and (iii) Decree of Distribution in the Estate of Mary W. Rist dated December 7, 1977 and recorded in Volume 608 at Page 164 of said Land Records."

Reference is hereby made to the instruments aforementioned, and the records thereof, and the instruments therein referred to, and the records thereof, in further aid of this description.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, **GILBERT R. SUTOR**, his heirs and assigns, to his own use and behoof forever; and the said Grantors, **JOHN H. SUTOR, JR.** and **DAVID W. SUTOR**, for themselves and their heirs, assigns and administrators, do covenant with the said Grantee, **GILBERT R. SUTOR**, his heirs, administrators and assigns, that until the ensealing of these presents they are the sole owners of their interest in the premises, and have good right and title to convey the same in manner aforesaid, they are **FREE FROM EVERY ENCUMBRANCE**, except as aforesaid, and Grantors hereby engage to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as aforesaid